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Attorney for Defendant Ryan C. Bundy

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,	)	2:16-cr-00046-GMN-PAL
	)	
Plaintiff,	)	
	)	
v.	)	<b>MOTION FOR <i>FARETTA</i> CANVASS</b>
	)	<b>OF RYAN BUNDY FOR WAIVER OF</b>
RYAN C. BUNDY,	)	<b>RIGHT TO COUNSEL</b>
	)	
Defendant.	)	
	)	

Defendant RYAN C. BUNDY, by and through his anticipated appointed counsel, Angela H. Dows, Esq., hereby requests that he, Mr. Ryan Bundy, be allowed to represent himself in the matter following a *Faretta* canvass, with instant counsel to be appointed as standby counsel.

This Motion is brought before the Court pursuant to Local Rule 1A 10-6, Rule 44(a) of the Federal Rules of Criminal Procedure, the Pleadings and Papers currently on file in the case, as well as any further representations of counsel as the Court may request.

Dated this 15th day of April, 2016.

Respectfully submitted,  
/s/ Angela H. Dows  
ANGELA H. DOWS, ESQ.  
1333 N. Buffalo Drive, Suite 210  
Las Vegas, Nevada 89128  
Attorney for Defendant RYAN C. BUNDY

1 The *Sixth Amendment* guarantees a defendant a right to counsel, as well as the right to  
2 waive the right to counsel, and represent himself without counsel. *Faretta v. California*, 422 U.S.  
3 806, 820 (1975). A defendant's decision to waive legal counsel and instead represent himself is  
4 valid only if the request is "timely, not for the purposes of delay, unequivocal, and knowing and  
5 intelligent." *United States v. Arlt*, 41 F.3d 516, 519 (9th Cir. 1994). A defendant has a  
6 Constitutional right to represent himself when he is "made aware of the dangers and  
7 disadvantages of self-representation, so that the record will establish that he knows what he is  
8 doing and his choice is made with eyes open." *Faretta*, 422 U.S. at 835. *Faretta's* three factor  
9 test is the way of insuring that the defendant understands: (1) the nature of the charges against  
10 him, (2) the possible penalties, and (3) the "dangers and disadvantages of self-representation."  
11 *Erskine*, 355 F.3d at 1167 (quoting *United States v. Balough*, 820 F.2d 1485, 1487 (9th Cir.  
12 1987)).

13  
14 In this case, instant counsel respectfully requests that Mr. Ryan Bundy be allowed the  
15 opportunity to be canvassed about the "dangers and disadvantages of self-representation"  
16 pursuant to 18 U.S.C., § 3006A(b), Fed. R. Crim. P. 44(a), and *Faretta v. California*, 422 U.S.  
17 806 (1975). In support of this assertion, but without waiving Mr. Ryan Bundy's right to be  
18 canvassed thoroughly in the instant proceeding, Mr. Ryan Bundy has been allowed to represent  
19 himself in an Oregon federal case (*United States v. Bundy, et al.*, U.S. District Court (Oregon)  
20 Case No. 3:16-cr-00051-BR-5), a case which this Court has likely been made aware. Mr. Ryan  
21 Bundy's signed waiver of right to counsel in the Oregon case is attached hereto as **Exhibit A**.  
22

23  
24 If it is determined that Mr. Ryan Bundy will be allowed his right to self-representation in  
25 the instant proceeding, instant counsel also requests that there be some initial clarification given  
26 as to the scope of the standby representation, for example whether standby counsel will be acting  
27 as an advisor versus, for example, acting as the client's "ghostwriter" for briefs or the like.  
28

**CONCLUSION**

Wherefore, it is respectfully submitted that Mr. Ryan C. Bundy be allowed to represent himself following a *Faretta* canvass, with instant counsel to be appointed as standby counsel.

Respectfully submitted,

/s/ Angela H. Dows

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ANGELA H. DOWS, ESQ.  
PREMIER LEGAL GROUP  
1333 North Buffalo Drive, Suite 210  
Las Vegas, Nevada 89128  
Attorney for Defendant Ryan C. Bundy  
Dated: April 15, 2016.

**CERTIFICATE OF SERVICE**

The undersigned hereby affirms that a copy of the foregoing:

**MOTION FOR *FARETTA* CANVASS  
OF RYAN BUNDY FOR WAIVER OF RIGHT TO COUNSEL**

has been served on all counsel of record as listed below, via electronic transmission, pursuant to local Order, as follows:

Daniel G. Bogden, United States Attorney  
Steven W. Myhre, Assistant United States Attorney  
Nicholas D. Dickinson, Assistant United States Attorney  
Nadia J. Ahmed, Special Assistant United States Attorney  
Erin M. Creegan, Special Assistant United States Attorney  
Counsel for Plaintiff United States of America

DATED this 15th day of April, 2016.

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/s/  
ANGELA H. DOWS, ESQ.